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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,615	02/21/2002	Kazuhiro Sato	450100-3922.2	2828
20999	.7590	01/11/2007	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			YIMAM, HARUN M	
			ART UNIT	PAPER NUMBER
			2623	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/11/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/081,615	SATO, KAZUHIRO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Harun M. Yimam	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 February 2002.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 02/21/2002.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 02/21/02 has been considered by the examiner.

### ***Claim Objections***

2. Claim 19 is objected to because of the following informalities:

In claim 19, line 4, "suer" should be changed to –user—.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 - 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Nelson (US 5,710,605).

Considering claim 1, Nelson discloses a remote control device (see 10 in figure 1) comprising:

receiver means (modem—column 1, line 65 – column 2, line 2 and column 5, lines 14-17) for receiving information on programs (electrical signals representing television program schedule items 14 in figure 1—column 5, lines 19-24 and column 7, lines 53-55) transmitted through a transmission line (telephone line);

display means (see 20 in figure 1 and column 5, lines 34-45) for displaying tabulated program information received by said receiver means;

program reserve information demanding means (processor 110 through radio receiver 122 transmits control signals—column 7, lines 14-22) transferring through the transmission line (said telephone line) a command of demanding program reserve information corresponding to desired program information among the tabulated program information displayed on said display; and

control signal generator means (processor) for generating a control signal to control an electronic device in response to the program reserve information demanded by said program reserve information demanding means and received at said receiver through the transmission line (column 6, lines 58-64).

As for claims 2, 10 and 18, Nelson discloses that said program reserve information (television program schedule items 14 in figure 1) contains a start time of a desired program designated by a user (column 5, lines 14-24).

With regards to claim 3, Nelson discloses that said control signal is a remote control command for a reception channel of a desired program designated by a user (column 6, lines 11-14 and column 6, line 58 - column 7, line 13).

Regarding claim 4, Nelson discloses a converter means (infrared transmitter circuit 120) responsive to said program reserve information (television program schedule items 14 in figure 1) in receipt to convert it into a remote control signal acceptable for a receiver owned by a user (column 6, line 65 - column 7, line 13).

Considering claim 5, Nelson discloses a register means (transmitter circuit 120) responsive to said program reserve information (television program schedule items 14 in figure 1) in receipt to register information on electronic devices owned by a user (column 6, line 65 – column 7, line 13).

As for claims 6, 12 and 20, Nelson discloses that said remote control signal generator includes:

storage means (memory) for previously storing control signals corresponding to different kinds of electronic devices of different manufacturers (the disclosed Universal remote control, column 4, lines 61-65, stores function control signals—column 47-52); and

transfer means responsive to said program reserve information (television program schedule items 14 in figure 1) received at said receiver means to sequentially transfer remote control signals corresponding to said different kinds of electronic devices of different manufacturers from said storage means (the disclosed Universal remote control, column 4, lines 61-65, does carry out the steps mentioned above. By definition, a **universal remote** control is a remote control that can be programmed to operate various brands of one or more types of consumer electronic devices).

With regards to claims 7, 13, 15, 21 and 23, Nelson discloses that said electronic device is a receiver for receiving said programs (television receiver—column 5, lines 5-11 and column 6, line 65 - column 7, line 13).

Regarding claims 8, 14, 16, 22 and 24, Nelson discloses that said electronic device is a recorder for recording the reserved program (video cassette recorder—column 6, line 65 - column 7, line 13).

Considering claims 9 and 17, Nelson discloses a transmitter/receiver device (satellite antenna—column 7, line 22) comprising;

transmitter means for transmitting tabulated program information in response to a user's demand transmitted from a transmission line (said transmitter/receiver satellite antenna is responsive to user's control signals transmitted via free space—column 7, lines 14-22); and

receiver means for receiving through the transmission line a demand for program reserve information corresponding to desired program information designated by a user among the tabulated program information, said transmitter means transmitting the demanded program reserve information in response to the demand for the program reserve information received by said receiver means (said transmitter/receiver satellite antenna receives user's control signals transmitted via free space and in response transmits the requested data—column 6, line 65 - column 7, line 22).

As for claims 11 and 19, Nelson discloses that the transmitter/receiver device according to claim 9 wherein said receiver means receives an identifier of an electronic device owned by a user, which is transmitted through the transmission line, said transmitter means being responsive to said identifier of the electronic device owned by the user to convert said program reserve information into a remote control signal corresponding to the electronic device owned by the user and to transmit same (said identifier is inherently disclosed to carry out the function above since the

Art Unit: 2623

communication is via free space and the satellite antenna needs to identify pin point each user electronic device for communication).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harun M. Yimam whose telephone number is 571-272-7260. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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